

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

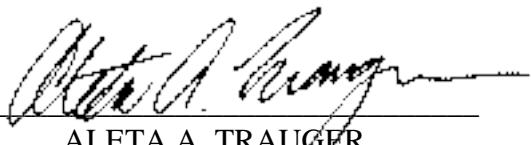
NATHANIEL CLAYBROOKS and)
CHRISTOPHER JOHNSON, individually,)
on behalf of all others similarly situated,)
Plaintiffs,) Civil No. 3:12-0388
v.) Judge Trauger
AMERICAN BROADCASTING COMPANIES,)
INC., WARNER HORIZON TELEVISION,)
INC., NEXT ENTERTAINMENT, INC.,)
NZK PRODUCTIONS, INC., and)
MICHAEL FLEISS,)
Defendants.)

O R D E R

The defendants have filed a Motion to Dismiss (Docket No. 38), which is supported, in part, by a DVD (Docket No. 36) and a Declaration (Docket No. 41). It is hereby **ORDERED** that, by July 6, 2012, the parties shall file a position statement, indicating whether or not they believe this Motion to Dismiss should be converted to a motion for summary judgment under Rule 12(d), FED. R. CIV. P.

It is so **ORDERED**.

ENTER this 29th day of June 2012.


ALETA A. TRAUGER
U.S. District Judge